

House Study Bill 50 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE BOARD
BILL)

A BILL FOR

1 An Act relating to the payment of dependent care expenses from
2 campaign funds and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 68A.303A **Dependent care expenses.**

2 1. In addition to the uses permitted under sections 68A.302
3 and 68A.303, a candidate or candidate's committee may use
4 campaign funds to pay for expenses related to the care of any
5 dependent of the candidate if all of the following conditions
6 are met:

7 a. The expense is incurred as a direct result of campaign
8 activity.

9 b. The candidate would not have needed the dependent care
10 but for the candidate's candidacy for office.

11 c. The candidate could not participate in the campaign
12 activity without dependent care.

13 d. The payment to the dependent care provider is reasonable
14 and customary for the services rendered.

15 e. The dependent care provider is not the spouse or
16 dependent child of the candidate.

17 2. A candidate using campaign funds for dependent care
18 expenses shall keep a log detailing the date, campaign purpose,
19 length of time of care, name of dependent care provider, and
20 cost for each dependent care expense paid or owed by the
21 campaign. Such a log shall be provided to the board upon
22 request. Upon receipt of such a log, the board shall determine
23 whether the expenditure constitutes a legitimate campaign
24 expense.

25 3. For purposes of this section, "*dependent*" means the same
26 as defined in section 152 of the Internal Revenue Code.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to the payment for dependent care with
31 campaign funds. The bill permits a candidate to pay for
32 dependent care expenses using campaign funds if the expense
33 is incurred as a direct result of campaign activity, the
34 candidate would not have needed the dependent care but for the
35 candidate's candidacy, the candidate could not participate in

1 the campaign activity without dependent care, the payment to
2 the dependent care provider is reasonable, and the dependent
3 care provider is not the spouse or dependent child of the
4 candidate. The bill requires the candidate to keep logs
5 relating to payment for any such services, which shall be
6 provided to the Iowa ethics and campaign disclosure board upon
7 request. The bill allows the board to determine whether a
8 dependent care expenditure constitutes a legitimate campaign
9 expense.

10 A person who violates a provision of Code chapter 68A
11 is subject to civil penalties imposed by the Iowa ethics
12 and campaign disclosure board, including remedial action, a
13 reprimand, and a civil penalty up to \$2,000. In addition, a
14 person who willfully violates a provision of Code chapter 68A
15 is guilty of a serious misdemeanor. A serious misdemeanor is
16 punishable by confinement for no more than one year and a fine
17 of at least \$315 but not more than \$1,875.